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Counsel for Plaintiff Andrew E. Roth

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ANDREW E. ROTH, derivatively on behalf of
BROCADE COMMUNICATIONS
SYSTEMS, INC.,

Plaintiff,

v.

GREGORY REYES, MICHAEL BYRD,
ANTONIO CANOVA, JACK CUTHBERT,
and BROCADE COMMUNICATIONS
SYSTEMS, INC.,

Defendants.

No. 3:06-cv-2786 CRB

**STIPULATION AND ~~PROPOSED~~ ORDER
SETTING DATE FOR FILING OF
AMENDED COMPLAINT**

WHEREAS, the complaint in this action was filed on April 24, 2006;

WHEREAS, defendant Brocade Communication Systems, Inc. ("Brocade") filed a motion to dismiss the complaint on June 8, 2006, which is set for hearing on July 14, 2006;

WHEREAS, plaintiff's opposition to the motion to dismiss is currently due to be filed on June 23, 2006;

WHEREAS, plaintiff has decided to amend the complaint in lieu of opposing the motion to dismiss, and has so advised defendant Brocade;

WHEREAS, plaintiff requested of defendant Brocade an extension of time to file the amended complaint to July 14, 2006, and defendant Brocade has agreed to this request, subject to approval of the Court;

THEREFORE, the parties hereby stipulate, and request the Court to order, as follows:

1. Plaintiff shall file an amended complaint by July 14, 2006.
2. The July 14, 2006 hearing on the motion to dismiss is taken off calendar.
3. Brocade's response to the complaint shall be due August 14, 2006.

Dated: June 20, 2006

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_____/s/_____
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Dated: June 20, 2006

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/s/ WFJ with permission

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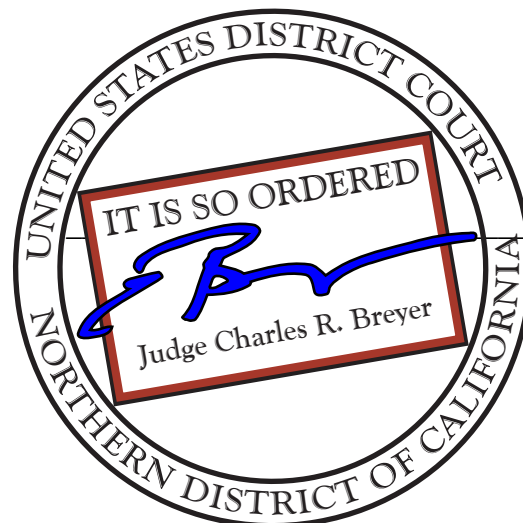
*Counsel for Defendant Brocade
Communications Systems, Inc.*

* * *

ORDER

Good cause appearing, it is so ordered.

Dated: June 21, 2006



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